Water Right Report 36-4260A

WATER RIGHT NUMBER: 36-4260A

Owner Type

Name and Address

Current Owner

SPORTSMANS RIVER RESORT

PO BOX X

TWIN FALLS, ID 83301

(208)734-6051

Current Owner

CAROLYN H JOHNSON

PO BOX X

TWIN FALLS, ID 83301

(208)734-6051

Current Owner

TERRY LEE JOHNSON

PO BOX X

TWIN FALLS, ID 83301

(208)734-6051

Priority Date: 12/10/1901

Basis:

Decreed

Status:

Active

Source

Tributary

SNAKE RIVER

SPRINGS

From To **Diversion Rate** Beneficial Use **DOMESTIC** 1/01 to 12/31 0.200 CFS 1/01 to 12/31 COMMERCIAL 0.100 CFS **IRRIGATION** 2/15 to 11/30 0.120 CFS

Total Diversion:

0.400 CFS

Location of Point(s) of Diversion

SPRINGS

L8 (SE1/4SE1/4SE1/4)

Sec. 6,

Twp 08S, Rge 14E, B.M.

Annual Volume

GOODING County

Place of Use

DOMESTIC

Twp Rge Sec	NE	NW	SW	SE	I
I NE	I NW I SW I SE	NE NW SW SE	NE I NW I SW I SE	NE NW SW SE	<u>Totals</u>
08S 14E 7	X			1	
	L 5			1	

COMMERCIAL

Twp Rge Sec	NE	l NW	l sw	SE]
l NE	<u> </u>	NE I NW I SW I SE	[<u>NE </u>	NE NW SW SE	Totals
08S 14E 7	X			ļ	!
1	L 5]			

Water Right Report 36-4260A

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	
j	NE I NW I SW I SE	NE NW SW SE	NE INW ISW ISE	NE NW SW SE	<u>Totals</u>
08S 14E 7	4.0		ļ		4.0
	L 5			1	

Total Acres: 4

Conditions of Approval:

- 1. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-04260B AND 36-04260C.
- 2. C04 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PURPOSE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- 3. DOMESTIC USE FOR 40 SPACE TRAILER PARK AND 13 HOUSES.
 COMMERCIAL USE FOR A 7 UNIT MOTEL, 1 RESTAURANT AND BOAT DOCK.
- 4. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- 5. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Page 3 08/29/2011

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-4260A

Comments:

1. WORSTELL 10/4/1991 CORRECTION OF P/U DESCRIPTION Comment: PLACE OF USE INCORRECTLY ENTERED AS GOODING CO. CORRECTED TO TWIN FALLS CO.-WEST OF SNAKE RIVER. (RVW.) COPIED FROM REMARKS CLAIM IS A PORTION OF 10.5 CFS ORIGINALLY LICENSED. USES ARE 40 SPACE TRAILER COURT, 7 UNIT MOTEL, 1 RESTAURANT, AND 13 SUBDIVISION LOTS. OWNERSHIP INCLUDES ALL EXCEPT BURDEN SUBD.

- 2. THORNTON 7/22/1992 SEASON OF USE Comment: CHANGED TO STANDARD SEASON OF USE AND REVERIFIED.
- 3. SCHULTZ 9/14/1992 NOTICE OF ERROR (NOE)
 Comment: RECEIVED NOE 9/11/92. CHANGED NOE FLAG FROM BLANK TO A. CLAIM VERIFIED 7/22/92. DID NOT REVERIFY ANY PART OF CLAIM.
- 4. CHRISTEN 10/1/1992 RESPONSE TO NOE Comment: AFTER REVIEWING THE EVIDENCE OF PRIORITY AND TALKING TO ALLEN MERRITT, AND AS NO NEW EVIDENCE WAS SUBMITTED, I DO NOT RECOMMEND CHANGING THE CLAIM AT THIS TIME. KKC 10-1-92.
- 5. MERRITT 10/23/1992 CHANGED BASIS OF RIGHT AND PRIORITY DATE.

 Comment: BASED ON EVIDENCE OF DECREE PROVIDED BY BRAILSFORD THAT THE RIGHT WAS DECREED IN 1945 IN CASE OF CLAMPITT VS HERRON AND THIS USE WAS A PORTION OF THAT RIGHT AND THAT THE RIGHT HAS CHANGED IN NATURE OF USE AFTER DECREE AND AT LEASED AS FAR BACK AS 1959. I DISCUSSED THIS CHANGE WITH MR. JOHNSON IN MY OFFICE THIS DAY. ADDED CONDITION C04.
- 6. SSHERMAN 1/10/1996 DATA ENTRY CORRECTION Comment: CORRECTED ADDRESS FOR CAROLYN H JOHNSON TO MATCH ORIGINAL CLAIM BY ADDING THE PO BOX.
- 7. KCHRISTE 12/15/1997 REFORMAT Comment: FOR PARTIAL DECREE
- 8. cyenter 11/4/2010 11:29:16 AM POD Comment: PODID 378819 correlated from SpatialDataID 133733 to SpatialDataID 133732

Dates and Other Information:

Licensed Date:

Decreed Date: 8/27/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number: 130
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:

Decree Defendant: Decree Plaintiff:

Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES Water Right Report 36-4260A

08/29/2011

Water Right Report 36-4260C

WATER RIGHT NUMBER: 36-4260C

Owner Type Name and Address

Directors Report Owner JACK F DUNCAN

422 E BASELINE RUPERT, ID 83350 (208)436-6848

Directors Report Owner JANET H DUNCAN

RT 1 BOX 293A RUPERT, ID 83350 (208)436-6848

Directors Report Owner KATHY F DUNCAN

750 E 100 S

RUPERT, ID 83350

(208)436-1214

Current Owner SALMON FALLS LAND & LIVESTOCK CO INC

95A BELL RAPIDS RD HAGERMAN, ID 83332

(208)837-6053

Directors Report Owner PAUL H DUNCAN

RT 1 BOX 293A RUPERT, ID 83350 (208)436-6848

Priority Date: 12/10/1901 Basis: Decreed

Status: Active

Source Tributary
SPRINGS SNAKE RIVER

 Beneficial Use
 From
 To
 Diversion Rate
 Annual Volume

 STOCKWATER
 1/01 to 12/31
 0.036 CFS
 26.20 AF

DOMESTIC 1/01 to 12/31 0.036 CFS

DOMESTIC 1/01 to 12/31 0.000 CF 3

Total Diversion: 0.036 CFS 26.20 AF

Location of Point(s) of Diversion

SPRINGS L8 (SE1/4SE1/4) Sec. 6, Twp 08S, Rge 14E, B.M.

GOODING County

Place of Use

STOCKWATER

Twp Rge Sec	NE	l NW	SW	SE	1
I NE	I NW I SW I SE	I NE I NW I SW I SE	<u> NE NW SW SE</u>	NE I NW I SW I SE	<u>Totals</u>
08S 13E 14	X		Ţ	1	Ţ
ı		1	I		l
08S 14E 18	X	1	1	1	1
i		i	Ĺ	Ĺ	İ

Water Right Report 36-4260C

DOMESTIC same as STOCKWATER

Conditions of Approval:

- THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 36-04260A AND 36-04260B.
 STOCKWATER/ UP TO 2000 RANGE CATTLE
- 2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
- N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- 4. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

Comments:

- 1. BEDKE 2/8/1991 LW-STAFF REVIEW Comment:
- 2. MERRITT 10/23/1992 BASIS OF RIGHT CHANGED SINCE BRAILSFORD PROVIDED EVIDENCE Comment: THAT THE RIGHT WAS DECREED IN CLAMPITT VS HERRON DATED IN 1945. ADDED CONDITION C05 AND ERROR FLAG D.
- 3. JGIVENS 11/29/1994 OWNERSHIP CHANGE
 Comment: CHANGE OF OWNERSHIP RECEIVED 11/22/94 FORMER OWNERS DUNCANS AKA HIGHLAND RANCH
 NEW OWNER SALMON FALLS LAND & LIVESTOCK CO. COPY OF WARRANTY DEED SUBMITTED WITH FORM.
- 4. DSMITH 1/3/1996 NAME AND/OR ADDRESS CHANGE
 Comment: THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER
 NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN
 MADE WITHOUT A WATER RIGHT OWNER CHANGE. *CONFORMED NAME/ADDRESS TO AVOID DUPLICATE
 MAILING LABELS
- 5. D&S-DSHA 10/2/1996 D&S CONDITION CODE UPDATE Comment: CONDITION CODE N11 ADDED CONDITION CODE N13 ADDED
- 6. TFAWCETT 3/25/1997 ADDRESS CHANGE Comment: ADDRESS CHANGED PER LETTER REC'D 3/11/97.
- 7. KCHRISTE 12/15/1997 REFORMAT Comment: FOR PARTIAL DECREE
- 8. cyenter 11/4/2010 11:29:16 AM POD Comment: PODID 418782 correlated from SpatialDataID 133721 to SpatialDataID 133732

IDAHO DEPARTMENT OF WATER RESOURCES Water Right Report 36-4260C

Dates and Other Information:

Licensed Date:

Decreed Date:

12/4/1997

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

39576

Judicial District:

FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan:

False

Combined Use Limits:

Water Right Report 36-16165

WATER RIGHT NUMBER: 36-16165

Owner Type

Name and Address

Current Owner

CAMERON LUFF 3203 N 39TH ST BOISE, ID 83706 (208)863-6350

Current Owner

CAMILLA LUFF 3203 N 39TH ST BOISE, ID 83706 (208)863-6350

Original Owner

NASH FAMILY LIMITED PARTNERSHIP

PO BOX 797

KETCHUM, ID 83340

(208)725-0456

Previous Owner

ALEXANDER CHERIAN

PO BOX 720

KETCHUM, ID 83340

(208)726-1042

Previous Owner

HAGERMAN BLUFFS NO.3, LLC

PO BOX 5389

KETCHUM, ID 83340

Priority Date: 12/10/1901

Basis:

Decreed

Status:

Active

Source **SPRINGS** Tributary

SNAKE RIVER

Beneficial Use

From To **Diversion Rate**

Annual Volume

IRRIGATION

02/15 to 11/30

0.030 CFS

Total Diversion:

0.030 CFS

Location of Point(s) of Diversion

SPRINGS

L8 (SE1/4SE1/4SE1/4)

Sec. 6, Twp 08S, Rge 14E, B.M.

GOODING County

Place of Use

IRRIGATION

Twp Rge Sec | NE | NW | SW | SE | Totals

Total Acres: 1.7

Water Right Report 36-16165

Conditions of Approval:

- N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A
 DETERMINATION OF HISTORICAL BENEFICIAL USE.
- 2. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.
- 3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- 4. THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.
- 5. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

Comments:

- 1. scurtis 4/28/2003 Ownership Change Comment: Rights 36-16164 and 36-16165 are the results of a split of Right 36-4260B by an ownership change.
- 2. mciscell 10/18/2005 POU Comment: Updated Shape
- 3. cyenter 11/4/2010 11:29:17 AM POD Comment: PODID 590290 correlated from SpatialDataID 133721 to SpatialDataID 133732

IDAHO DEPARTMENT OF WATER RESOURCES Water Right Report 36-16165

Dates and Other Information:

Licensed Date:

Decreed Date: 10/11/2000 Enlargement Use Priority Date: Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector: AND Water District Number: 130 Generic Max Rate Per Acre: Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number: 39576 Judicial District: FIFTH Swan Falls Trust or Nontrust: Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

		3		
		3		
		3		

Water Right Report 36-16221

WATER RIGHT NUMBER: 36-16221

Owner Type

Name and Address

Previous Owner

NASH FAMILY LIMITED PARTNERSHIP

PO BOX 797

KETCHUM, ID 83340

(208)725-0456

Current Owner

RICHARD S RUTKOWSKI

PO BOX 367

KETCHUM, ID 83340

(208)726-7386

Current Owner

CORINNE SUSAN DAVIS-RUTKOWSKI

PO BOX 367

KETCHUM, ID 83340

(208) 726-7386

Priority Date:

Basis:

12/10/1901 Decreed

Status:

Active

Source

Tributary

SPRINGS

SNAKE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

02/15 to 11/30

0.100 CFS

Total Diversion:

0.100 CFS

Location of Point(s) of Diversion

SPRINGS

L8 (SE1/4SE1/4SE1/4)

Sec. 6,

Twp 08S, Rge 14E, B.M.

GOODING County

Place of Use

IRRIGATION

Total Acres: 1.6

Conditions of Approval:

Water Right Report 36-16221

- 1. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.
- 2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- 3. THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.

Remarks:

Comments:

1. E Retelle 6/30/2004 Ownership Change Comment: Rights 36-16220 and 36-16221 are the results of a split of right 36-16164 by an ownership change.

2. ERetelle 6/30/2004 Condition Comment: Place of use Is located within Lots 12, Blk. 1, Oregon Trail Homesites Subdivision.

3. cyenter 11/4/2010 11:29:17 AM POD
Comment: PODID 622749 correlated from SpatialDataID 133721 to SpatialDataID 133732

Dates and Other Information:

Licensed Date:

Decreed Date: 10/11/2000 Enlargement Use Priority Date: Enlargement Statute Priority Date:

State or Federal: S
Owner Name Connector:
Water District Number: 130
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:

Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Right Report 36-16733

WATER RIGHT NUMBER: 36-16733

Owner Type

Name and Address

Directors Report Owner

ROBERT H BRAILSFORD 300 MORRISON DR #644 TWIN FALLS, ID 83301

(208)733-9161

Current Owner

NASH FAMILY LIMITED PARTNERSHIP

PO BOX 797

KETCHUM, ID 83340

(208)725-0456

Basis:

Priority Date: 12/10/1901

Status:

Decreed Active

Source

Tributary

SPRINGS

SNAKE RIVER

Beneficial Use	From		To	Diversion Rate
DOMESTIC	02/15	to	11/30	0.020 CFS
DOMESTIC	12/01	to	02/14	0.060 CFS
IRRIGATION	02/15	to	11/30	9.730 CFS

Total Diversion: 9.730 CFS

Location of Point(s) of Diversion

SPRINGS

L8 (SE1/4SE1/4SE1/4)

Sec. 6, Twp 08S, Rge 14E, B.M.

Annual Volume

GOODING County

Place of Use **DOMESTIC**

Twp Rge Sec	NE	l NW	SW	SE	l
08S 14E 7	I NW I SW I SE	I NE I NW I SW I SE	NE NW SW SE	<u> NE NW SW SE </u> 	Totals
i		Ì	1		l

IRRIGATION

Twp Rge	Sec	NE	NW	SW	ı	SE	
08S 13E	1 NE 1 I	<u> NW SW SE</u>	NE NW SW SE	<u>NE NW SW </u> 	SE NE 	NW SW SE 20.0 L 10	Totals 20.0
08S 13E	12 6.0			l I	I	 	6.0

Water Right Report 36-16733

08S 14E	6			l I		1	18.0 L 11	11.7 L 10	2.4 L 10		32.1
08S 14E		5.0 L 2		5.0 32.0 L 5	18.0 L 3						96.2

Total Acres: 154.3

Conditions of Approval:

- 1. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.
- 2. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- 4. THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.
- 5. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

Page 3 08/29/2011

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-16733

Comments:

1. tfawcett 4/16/2009 split right

Comment: This right was split from 36-16220 pursuant to an owner change.

2. tfawcett 4/16/2009 3:59:05 PM POD

Comment: Updated Shape

3. tfawcett 4/16/2009 4:17:20 PM POU

Comment: Updated Shape

4. tfawcett 4/16/2009 4:17:57 PM POU

Comment: Updated Shape

5. tfawcett 10/20/2010 ownership change split

Comment: This right was split by ownership change into 36-16733 (Nash Family LP) and 36-16875 (Jim and Cathy Brown) .

6. tfawcett 10/20/2010 8:54:05 AM POU

Comment: Updated Shape

7. tfawcett 11/10/2010 12:03:18 PM POU

Comment: Updated Shape

8. tfawcett 6/21/2011 split right

Comment: This right was split into 36-16733 (Nash Family LP) and 36-16905 (Silver Trust) pursuant to an ownership change request.

9. tfawcett 6/21/2011 5:00:55 PM POU

Comment: Updated Shape

Dates and Other Information:

Licensed Date:

Decreed Date: 10/11/2000 Enlargement Use Priority Date: Enlargement Statute Priority Date:

State or Federal: S
Owner Name Connector:
Water District Number: 130
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:

Decree Defendant: Decree Plaintiff:

Civil Case Number: 39576 Judicial District: FIFTH Swan Falls Trust or Nontrust: Swan Falls Dismissed:

DLE Act Number: Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

IDAHO DEPARTMENT OF WATER RESOURCES Water Right Report 36-16733

Water Right Report 36-16734

WATER RIGHT NUMBER: 36-16734

Owner Type

Name and Address

Previous Owner

NASH FAMILY LIMITED PARTNERSHIP

PO BOX 797

KETCHUM, ID 83340

(208)725-0456

Directors Report Owner

ROBERT H BRAILSFORD 300 MORRISON DR #644 TWIN FALLS, ID 83301

(208)733-9161

Current Owner

HAGERMAN BLUFFS NO 2 LLC

PO BOX 5389

KETCHUM, ID 83340

(208)622-8200

Priority Date: 12/10/1901

Basis:

Decreed

Status:

Active

Source

Tributary

SPRINGS

SNAKE RIVER

Beneficial Use

To From

Diversion Rate

Annual Volume

IRRIGATION

02/15 to 11/30

0.030 CFS

Total Diversion:

0.030 CFS

Location of Point(s) of Diversion

SPRINGS

L8 (SE1/4SE1/4SE1/4)

Sec. 6,

Twp 08S, Rge 14E, B.M.

GOODING County

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	S W	SE	
08S 14E 6	I NW SW SE N	<u>ve [nw [sw [se]</u>	NE NW SW SE 1.6	<u>NE NW SW SE </u> 	<u>Totals</u> 1.6
1	1	I	L 10		

Total Acres: 1.6

Conditions of Approval:

- 1. X60 Place of use is located within Lot 16, Block 1, Oregon Trail Homesites Subdivision.
- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A 2. DETERMINATION OF HISTORICAL BENEFICIAL USE.

Water Right Report 36-16734

- 3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- 4. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- 5. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.
- 6. THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.

Remarks:

Comments:

- tfawcett 4/16/2009 split right
 Comment: This right was split from 36-16220 pursuant to an owner change.
- 2. tfawcett 4/16/2009 3:26:57 PM POD Comment: Updated Shape
- 3. tfawcett 4/16/2009 3:59:43 PM POD
- Comment: Updated Shape
- 4. tfawcett 4/16/2009 4:19:20 PM POU

Comment: Updated Shape

Water Right Report 36-16734

Dates and Other Information:

Licensed Date:

Decreed Date: 10/11/2000 Enlargement Use Priority Date: Enlargement Statute Priority Date:

State or Federal: S
Owner Name Connector:
Water District Number: 130
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:

Decree Defendant: Decree Plaintiff:

Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:

DLE Act Number: Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Right Report 36-16735

WATER RIGHT NUMBER: 36-16735

Owner Type

Name and Address

Current Owner

HAGERMAN BLUFFS NO 1 LLC

PO BOX 6120

KETCHUM, ID 83340

(208)622-6671

Directors Report Owner

ROBERT H BRAILSFORD 300 MORRISON DR #644 TWIN FALLS, ID 83301

(208)733-9161

Previous Owner

NASH FAMILY LIMITED PARTNERSHIP

PO BOX 797

KETCHUM, ID 83340

(208)725-0456

Priority Date: 12/10/1901

Basis:

Decreed

Status:

Active

Source **SPRINGS** **Tributary**

SNAKE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

02/15 to 11/30

0.030 CFS

Total Diversion:

0.030 CFS

Location of Point(s) of Diversion

SPRINGS

L8 (SE1/4SE1/4SE1/4)

Sec. 6,

Twp 08S, Rge 14E, B.M.

GOODING County

Place of Use **IRRIGATION**

SW Twp Rge Sec | NE | NW | SW | SE | Totals 08S 14E 6 1.5 L 10|

Total Acres: 1.5

Conditions of Approval:

Page 2 08/29/2011

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-16735

- 1. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.
- 2. THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.
- 3. N10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- 4. N12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- 5. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- 6. X60 Place of use is located within Lot 17, Block 1, Oregon Trail Homesites Subdivision.

Remarks:

Comments:

1. tfawcett 4/16/2009 split right Comment: This right was split from 36-16220 pursuant to an owner change.

2. tfawcett 4/16/2009 4:01:05 PM POD Comment: Updated Shape

3. tfawcett 4/16/2009 4:13:11 PM POU Comment: Updated Shape

Water Right Report 36-16735

Dates and Other Information:

Licensed Date:

Decreed Date: 10/11/2000 Enlargement Use Priority Date: Enlargement Statute Priority Date:

State or Federal: S
Owner Name Connector:
Water District Number: 130
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:

Decree Defendant: Decree Plaintiff:

Civil Case Number: 39576 Judicial District: FIFTH Swan Falls Trust or Nontrust: Swan Falls Dismissed:

DLE Act Number: Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Page 1 08/29/2011

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-16875

WATER RIGHT NUMBER: 36-16875

Owner Type Name and Address

Directors Report Owner ROBERT H BRAILSFORD

300 MORRISON DR #644 TWIN FALLS, ID 83301

(208)733-9161

Previous Owner NASH FAMILY LIMITED PARTNERSHIP

PO BOX 797

KETCHUM, ID 83340

(208)725-0456

Current Owner JIM R BROWN

821 E 2700 S

HAGERMAN, ID 83332

Current Owner CATHY R BROWN

821 E 2700 S

HAGERMAN, ID 83332

(208)420-6409

Priority Date: 12/10/1901 Basis: Decreed

Status: Active

Source Tributary
SPRINGS SNAKE RIVER

Beneficial Use From To Diversion Rate Annual Volume

IRRIGATION 02/15 to 11/30 0.090 CFS

Total Diversion: 0.090 CFS

Location of Point(s) of Diversion

SPRINGS L8 (SE1/4SE1/4SE1/4) Sec. 6, Twp 08S, Rge 14E, B.M.

GOODING County

Place of Use IRRIGATION

Total Acres: 1.5

Conditions of Approval:

Water Right Report 36-16875

- 1. THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.
- 2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
- 3. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.

Remarks:

Comments:

1. tfawcett 4/16/2009 split right Comment: This right was split from 36-16220 pursuant to an owner change.

2. tfawcett 4/16/2009 3:59:05 PM POD

Comment: Updated Shape

3. tfawcett 4/16/2009 4:17:20 PM POU Comment: Updated Shape

4. tfawcett 4/16/2009 4:17:57 PM POU

Comment: Updated Shape

5. tfawcett 10/20/2010 Ownership change split Comment: This right was split from 36-16733 pursuant to an ownership change.

6. tfawcett 10/20/2010 8:41:31 AM POU Comment: Updated Shape

7. tfawcett 10/20/2010 8:42:10 AM POU Comment: Updated PLS

Water Right Report 36-16875

Dates and Other Information:

Licensed Date:

Decreed Date: 10/11/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date: S

State or Federal:

Owner Name Connector: And

Water District Number:

130 Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

39576

Judicial District: FIFTH

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number: Mitigation Plan:

False

Combined Use Limits:

Water Right Report 36-16905

WATER RIGHT NUMBER: 36-16905

Owner Type

Name and Address

Directors Report Owner

ROBERT H BRAILSFORD 300 MORRISON DR #644 TWIN FALLS, ID 83301

(208)733-9161

Previous Owner

NASH FAMILY LIMITED PARTNERSHIP

PO BOX 797

KETCHUM, ID 83340

(208)725-0456

Current Owner

LEROY H & JOSIE MARIE SILVER 1992 TRUST

PO BOX 67

LOYALTON, CA 96118

(916) 955-4098

Priority Date:

12/10/1901

Basis:

Decreed

Status:

Active

Source SPRINGS Tributary

SNAKE RIVER

Beneficial Use

From To

Diversion Rate

Annual Volume

IRRIGATION

02/15 to 11/30

0.110 CFS

Total Diversion:

0.110 CFS

Location of Point(s) of Diversion

SPRINGS

L8 (SE1/4SE1/4SE1/4)

Sec. 6,

Twp 08S, Rge 14E, B.M.

GOODING County

Place of Use

IRRIGATION

Total Acres: 1.8

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Water Right Report 36-16905

- 2. IN ACCORDANCE WITH THE SUBORDINATION PROVISIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE AND FILED OF RECORD ON MARCH 15, 1999 AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE, (HEREINAFTER "THE AGREEMENT") THE WATER RIGHT HOLDER IS PROHIBITED FROM MAKING ANY DELIVERY CALL FOR ANY QUANTITY IN EXCESS OF 0.02 CFS FOR DOMESTIC USE AND 6.42 CFS FOR IRRIGATION USE TOGETHER TOTALLING NO MORE THAN 6.42 CFS, DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM MARCH 15 THROUGH NOVEMBER 15; AND FOR ANY QUANTITY IN EXCESS OF 0.06 CFS FOR DOMESTIC USE DURING THE PERIOD FROM NOVEMBER 16 THROUGH MARCH 14, TO THE EXTENT THAT SUCH CALL WOULD CAUSE OR REQUIRE, EITHER DIRECTLY OR INDIRECTLY, CURTAILMENT OF, OR MITIGATION FROM, ANY GROUND WATER RIGHT EXISTING ON THE DATE OF THE AGREEMENT.
- 3. THIS WATER RIGHT IS SUBJECT TO ALL TERMS AND CONDITIONS OF THAT CERTAIN WATER RIGHT AGREEMENT FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 179564 IN THE RECORDS OF THE GOODING COUNTY RECORDERS OFFICE, AND FILED OF RECORD ON MARCH 15, 1999, AS INSTRUMENT NO. 1999-004703 IN THE RECORDS OF THE TWIN FALLS COUNTY RECORDERS OFFICE.

Remarks:

Comments:

1. tfawcett 6/21/2011 split right

Comment: This right was split from 36-16733 pursuant to an ownership change.

2. tfawcett 6/21/2011 4:54:44 PM POU Comment: Updated Shape

Dates and Other Information:

Licensed Date:

Decreed Date: 10/11/2000 Enlargement Use Priority Date: Enlargement Statute Priority Date:

State or Federal: S
Owner Name Connector:
Water District Number: 130
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:

Decree Defendant: Decree Plaintiff:

Civil Case Number: 39576 Judicial District: FIFTH Swan Falls Trust or Nontrust: Swan Falls Dismissed:

DLE Act Number: Carey Act Number:

Mitigation Plan: False

Combined Use Limits: